

City of Detroit

CITY COUNCIL

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TO: The Honorable City Council

FROM: David Whitaker
Julianne Pastula
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DATE: June 16, 2006

RE: **INFORMATION REGARDING THE PEDESTRIAN BRIDGE IN THE
EASTERN MARKET AREA**

At the Honorable City Council's request, the Research & Analysis Division (RAD) submits the following report based on information received to date in regard to the pedestrian bridge over I-75 in the Eastern Market area.

The Market Street pedestrian walkway is the non-vehicular bridge in the Eastern Market area that the vendors occupied. The Michigan Department of Transportation (MDOT), which has control of the bridge, has informed RAD that it is and was aware of the presence of vendors on the bridge; however, it did not mandate that the vendors be removed from the bridge. Without additional information from the vendors, RAD is unable to determine why access to the bridge has been restricted and by whom¹. RAD is currently researching amendatory ordinance language to expand the use of the Eastern Market to non-farm produce uses that would incorporate the bridge vendors as well as other merchants within the market proper. The Eastern Market Corporation has represented that the new entity will support expanded use of the market to include the merchants that formerly occupied the bridge. It is believed that these adjustments will allow for greater access for local entrepreneurs to the market and its customers.

Construction on the Russell Street Bridge (which has both vehicular and pedestrian traffic) and the Market Street pedestrian walkway began in March 2006². The scope of the work planned for the Market Street Bridge is a full replacement and ADA access³. Federal standards

¹ Local law enforcement officials could have restricted the vendors' access. In the past, the Detroit Police Department has issued citations to some of the vendors for their presence on the pedestrian bridge.

² Construction on the Russell Street Bridge has begun; replacement of the pedestrian walkway is the second phase of the project to ensure that pedestrians have an accessible crossing in the Eastern Market area.

³ The bridge currently has one step up on both approaches, in violation of the Americans with Disabilities Act (ADA), PL 101-336, enacted July 26, 1990.

dictate the dimensions of a two-way non-motorized path as ten feet. Therefore, the new bridge should not be substantially different from the current bridge, with the exception of handicapped access on both approaches.

The Market Street Bridge is not closed to pedestrian traffic at this time. Photographs taken of the walkway by RAD staff on June 14th follow:



A visual inspection of the bridge by RAD staff was also conducted. There are no visible defects or holes in the walkway of the bridge and the fencing remains completely intact; however, there is substantial rusting. MDOT has advised RAD that the bridge is not unsafe and that it will remain open to pedestrian traffic until construction on the Russell Street Bridge is complete.

Both the Russell Street and the Market Street bridges are under the jurisdiction and control of the Michigan Department of Transportation (MDOT)⁴. In regard to funding, the bridge project is an "Act 51 eligible" job. This means that the funding of the project is almost entirely based on reimbursements. MDOT pays for the entire project up front, and then is reimbursed by the federal and local governments. For example, MDOT pays for 100% of the project initially and is then reimbursed 80% by the federal government. Pursuant to Public Act 51 of 1951, the remaining 20% of the costs is divided as follows: the local government⁵ is responsible for 2-½ % and the state's responsibility is the remaining 17-½ %. In the foregoing example, MDOT while paying 100% of the cost initially, after the reimbursements is only responsible for 17-½ % of the cost of the project. The distribution of costs under Public Act 51 is based upon the population of eligible cities. It should also be noted that construction or replacement projects are "Act 51 eligible" activities while maintenance is not. MDOT would be responsible for the entire cost of maintenance activities.

⁴ Representatives from MDOT Metro Region, the Eastern Market Corporation and a local economic development group met in 2005 regarding the bridge projects. The local group wanted a covered bridge that included signage, which is not permitted on the walkway. MDOT indicated that the local group could erect decorative fences outside of the MDOT right-of-way but has not heard from the group and is unsure if it intends to follow through.

⁵ The local government is the city in which the project is located. Cities normally use capital outlay funds received by the federal government for road projects.

MDOT's progress schedule for the entire project follows:

- Russell Street Bridge anticipated completion date is June 30, 2006.
- Market Street Bridge phase to start in mid-July.
- Steel delivery for the Market Street Bridge is anticipated in the beginning of August. This is the portion of the project that could delay completion due to availability and cost of steel.
- Estimated project completion date is August 12, 2006. Although MDOT indicated that this date could float due to foreseeable difficulties in the procurement of the steel.